



2684  
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PTO/SB/21 (09-04)  
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/929,979
	Filing Date	August 15, 2001
	First Named Inventor	Noah J. Temullo
	Art Unit	2684
	Examiner Name	Alan T. Gantt
Total Number of Pages in This Submission	Attorney Docket Number	12078-141

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Supplemental Information Disclosure Statement; Form PTO-1449; Compact Disc with copies of references; return postcard.
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Burns & Levinson LLP, formerly Perkins Smith & Cohen LLP		
Signature			
Printed name	Peter J. Borghetti		
Date	March 8, 2005	Reg. No.	42,345

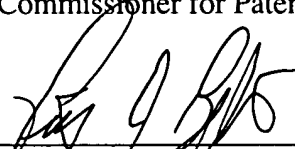
CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Peter J. Borghetti	Date	March 8, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**CERTIFICATE OF MAILING**

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Peter J. Borghetti  
Reg. No. 42,345

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Noah J. Ternullo et al.  
Serial Number: 09/929,979  
Filed: August 15, 2001

Examiner: Gantt, Alan T.  
Group Art Unit: 2684

Title: METHOD AND APPARATUS FOR DETERMINING  
THE CONTEXT OF A HANDHELD DEVICE

Burns & Levinson LLP  
(formerly Perkins Smith & Cohen LLP)  
One Beacon Street, 30<sup>th</sup> Floor  
Boston, Massachusetts 02108  
(617) 854-4000

To: Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Sir:

This Information Disclosure Statement (Form PTO-1449) (including copies of non-U.S. patent cited references) is submitted under 37 CFR 1.97(c)(2). Applicants have herein provided, on the enclosed Compact Disc, copies of the patents and publications listed in the attached USPTO Form 1449. The MPEP does not prohibit the use of a Compact Disc to provide copies as required in MPEP § 198(d). Therefore, Applicants request that this Information Disclosure Statement be entered and that the patents and publications herein submitted be reviewed.

**REMARKS**

Applicants submit herewith an Information Disclosure Statement under 37 CFR 1.97(c)(2) before the mailing of a final office action. In view thereof, a fee in the amount of \$180.00 is enclosed. Please charge the \$180.00 fee to Deposit Account No. 03-2410, Order No. 12078-141.

03/14/2006 SFELEKE1 00000029 032410 09929979

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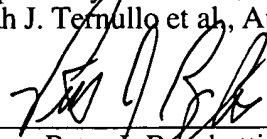
The following information is presented in the event that a call may be deemed desirable by the Examiner:

PETER J. BORGHETTI (617) 854-4000.

Respectfully submitted,  
Noah J. Ternullo et al., Applicants

Dated: March 8, 2006

By:

A handwritten signature in black ink, appearing to read 'P. J. Borghetti', is written over a horizontal line.

Peter J. Borghetti  
Reg. No. 42,345  
Attorney for Applicants



**FORM PTO-1449**  
**U.S. DEPARTMENT OF COMMERCE**  
**PATENT AND TRADEMARK OFFICE**

ATTORNEY DOCKET NO.: 12078-141

APPLICATION SERIAL NO.: 09/929,979

GROUP ART UNIT: 2684

PUBLICATION NO.: 2002-0039882

APPLICANT: Noah J. Ternullo

EXAMINER: Alan T. Gantt

FILING DATE: August 15, 2001

CONFIRMATION NO.: 2164

PRIORITY DATE: August 15, 2000

RE: METHOD AND APPARATUS FOR DETERMINING THE CONTEXT OF A  
 HANDHELD DEVICE

**U.S. PATENT DOCUMENTS**

	DOCUMENT NO.	DATE	NAME	CLASS/SUB-CLASS	FILING DATE IF APPROPRIATE
	4,992,940	2/12/1991	Dworkin	364/401	3/13/1989
	5,047,614	9/10/1991	Bianco	235/385	8/8/1989
	5,067,104	11/19/1991	Krishnakumar et al.	395/375	5/1/1987
	5,250,789	10/5/1993	Johnsen	235/383	10/31/1991
	5,295,064	3/15/1994	Malee et al.	364/401	7/13/1989
	5,424,524	6/13/1995	Ruppert et al.	235/462	6/24/1993
	5,469,206	11/21/1995	Strubbe et al.	348/7	6/1/1993
	5,611,051	3/11/1997	Pirelli	395/210	6/6/1995
	5,664,110	9/2/1997	Green et al.	705/26	12/8/1994
	5,825,002	10/20/1998	Roslak	235/375	9/5/1996
	5,850,433	12/15/1998	Rondeau	379/201	5/1/1996
	5,923,735	7/13/1999	Swartz et al.	379/93.12	5/29/1996
	5,950,173*	9/7/1999	Perkowski	705/26	5/12/1997
	5,956,693*	9/21/1999	Geerlings	705/14	7/19/1996
	5,971,277*	10/26/1999	Cragun et al.	235/462.01	8/12/1998
	5,974,238*	10/26/1999	Chase, Jr.	395/200.78	8/7/1996
	5,979,757*	11/9/1999	Tracy et al.	235/383	12/20/1996
	6,012,049**	1/4/2000	Kawan	705/41	2/4/1998
	6,038,551*	3/14/2000	Barlow et al.	705/41	3/11/1996
	6,064,979*	5/16/2000	Perkowski	705/26	11/19/1996
	6,073,112*	6/6/2000	Geerlings	705/14	7/12/1999
	6,073,842*	6/13/2000	Yoshinaga	235/382.5	7/7/1997
	6,092,053*	7/18/2000	Boesch et al.	705/26	10/7/1998
	6,119,935*	9/19/2000	Jelen et al.	235/383	12/19/1996
	6,123,259*	9/26/2000	Ogasawara	235/380	4/30/1998
	6,125,352*	9/26/2000	Franklin et al.	705/26	11/13/1996
	6,129,276*	10/10/2000	Jelen et al.	235/383	7/30/1999
	6,185,541*	2/6/2001	Scroggie et al.	705/14	5/12/1999

	6,189,781*	2/20/2001	Yoshinaga et al.	235/375	11/7/1994
	6,199,753*	3/13/2001	Tracy et al.	235/375	11/4/1999
	6,272,575*	8/7/2001	Rajchel	710/102	2/26/1999
	6,311,167*	10/30/2001	Davis et al.	705/35	12/22/1997
	6,381,465*	4/30/2002	Chern et al.	455/466	9/20/1999
	6,397,057*	5/28/2002	Malackowski et al.	455/414	12/24/1997
	6,405,318*	6/11/2002	Rowland	713/200	3/12/1999
	6,446,111*	9/3/2002	Lowery	709/203	6/18/1999
	6,505,046*	1/7/2003	Baker	455/456	11/19/1998
	6,629,151*	9/30/2003	Bahl	709/250	12/8/1999
	6,643,650*	11/4/2003	Slaughter et al.	707/10	9/12/2000
	6,647,269*	11/11/2003	Hendry et al.	455/456	7/5/2001
	6,654,816*	11/25/2003	Zaudtke et al.	710/1	5/31/2000
	6,684,399*	1/27/2004	Grooters	725/48	9/17/1999
	6,738,951*	5/18/2004	Weiss et al.	715/523	12/9/1999
	6,785,902*	8/31/2004	Zigmond et al.	725/38	12/20/1999
	6,857,013*	2/15/2005	Ramberg et al.	709/223	1/29/1999
	6,857,021*	2/15/2005	Schuster et al.	709/227	2/29/2000
	20010049636*	12/6/2001	Hudda et al.	705/26	4/16/2001
	20020019782*	2/14/2002	Hershtik	705/26	7/23/2001
	20020104087*	8/1/2002	Schaffer et al.	725/46	12/5/2000
	20030020993	1/30/2003	Ternullo et al.	359/172	8/29/3004
	20030053177*	3/20/2003	Kawamura	359/174	10/4/2002
	20030130909	7/10/2003	Caci et al.	705/27	1/4/2002
	20040077351*	4/22/2004	Inoue et al.	455/444	10/9/2003
	20050097008*	5/5/2005	Ehring et al.	705/26	12/13/2004

### FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS/SUB- CLASS	TRANSLATION YES NO
	WO 01/20526 A1	3/22/2001	Molbak et al.	G06F 17/60	x

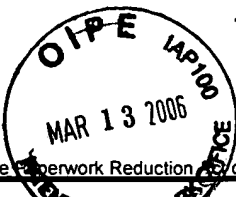
### OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

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\* These patents are representative of the state of the art but published after or less than one year prior to Applicant's priority date. Therefore, if any such item is considered sufficiently relevant by the Examiner to the present invention, its possible "prior art" status against the present invention should be considered individually allowing for the prospect of swearing back or other priority determination.

**EXAMINER**

**DATE CONSIDERED**



PTO/SB/17 (10-04)

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# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 180.00

**Complete if Known**

Application Number	09/929,979
Filing Date	August 15, 2001
First Named Inventor	Noah J. Ternullo
Examiner Name	Alan T. Gantt
Art Unit	2684
Attorney Docket No.	12078-141

**METHOD OF PAYMENT** (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit  
Account  
Number  
Deposit  
Account  
Name

03-2410 (Order 12078-141)

Perkins Smith &amp; Cohen LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 790	2001 395	Utility filing fee	
1002 350	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 790	2004 395	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
<b>SUBTOTAL (1)</b>			<b>(\$ ) 0</b>

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20** =	X	
Independent Claims	-3** =	X	
Multiple Dependent			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	
1202 18	2202 9	Claims in excess of 20	
1201 88	2201 44	Independent claims in excess of 3	
1203 300	2203 150	Multiple dependent claim, if not paid	
1204 88	2204 44	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (2)</b>			<b>(\$ ) 0</b>

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION** (continued)**3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 430	2252 215	Extension for reply within second month	
1253 980	2253 490	Extension for reply within third month	
1254 1,530	2254 765	Extension for reply within fourth month	
1255 2,080	2255 1,040	Extension for reply within fifth month	
1401 340	2401 170	Notice of Appeal	
1402 340	2402 170	Filing a brief in support of an appeal	
1403 300	2403 150	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,370	2501 685	Utility issue fee (or reissue)	
1502 490	2502 245	Design issue fee	
1503 660	2503 330	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	180.00
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))	
1801 790	2801 395	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$ ) 180.00**SUBMITTED BY**

(Complete (if applicable))

Name (Print/Type)	Peter J. Borghetti	Registration No. (Attorney/Agent)	42,345	Telephone	617-854-4000
Signature		Date	March 8, 2006		

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